

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

ORDER

05-CV-5240 (BMC)(SMG)

REAL PROPERTY AND PREMISES KNOWN
AS 90-23 201st STREET, HOLLIS, NEW YORK,
ET AL.

Defendants.

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GOLD, S., *United States Magistrate Judge*:

By Order dated May 14, 2009, Docket Entry 34, I denied claimant Ronald Young's ("claimant" or "Young") motion to reconsider the denial of his request for appointment of counsel in a civil forfeiture action on two grounds: first, because claimant was represented by retained counsel, and second, even if claimant were not represented by counsel, he still did not meet the requirements of 18 U.S.C. § 983(b), which governs appointment of counsel in a civil forfeiture action. Claimant's motion was denied without prejudice to his making a motion for appointment of *pro bono* counsel in the event that his attorney, Bernard Alan Seidler, was discharged or relieved.

On May 15, 2009, Mr. Seidler filed a motion to be relieved as counsel. Docket Entry 35. Mr. Seidler's motion states ample grounds for permitting his withdrawal, and claimant has not filed any opposition. Accordingly, Mr. Seidler's motion to be relieved as counsel is hereby granted for the reasons stated therein.

On May 26, 2009, claimant filed another letter requesting appointment of counsel. Docket Entry 37. To the extent Young is relying on 18 U.S.C. § 983(b) for appointment of counsel, his motion is denied for the reasons stated in my Order dated May 14, 2009. In his

letter, claimant did not include an application for appointment of *pro bono* counsel and an application to proceed *in forma pauperis*. Although there is no guarantee that his application will be granted, Young may nevertheless submit an application for *pro bono* counsel pursuant to 28 U.S.C. § 1915(e)(1). A copy of this Order and the application forms will be mailed to claimant at the address provided in his letter.

SO ORDERED.

Dated: **Brooklyn, New York**
June 4, 2009

/s/
STEVEN M. GOLD
United States Magistrate Judge